IN THE DRAWINGS:

Subject to the approval of the Examiner and as requested in the attached Request for Approval of Drawing Change, please amend Figure 8 as indicated in red on the attached copies of the originally filed drawings.

REMARKS

Examiner Interview of May 29, 2002

Applicants thank Examiners Aaron L. Enatsky and Jessica J. Harrison for the courtesy and consideration extended to Applicants' representative during the interview of May 29, 2002.

Information Disclosure Statement

Before discussing the Office Action on the merits, Applicants respectfully point out that Applicants submitted an Information Disclosure Statement (IDS) in this application on April 9, 2001. Applicants have, however, not received proper acknowledgement from the Examiner for this IDS. Specifically, it appears that the Examiner did not consider all the documents listed on pages 4 and 5 of forms PTO 1449 submitted with this IDS. In a telephone conversation with Examiner Enatsky on June 25, 2002, Examiner Enatsky indicated that he never received copies of the documents not considered by him. Applicants are submitting copies of the documents not considered along with a copy of the stamped post card showing that the Patent Office did receive copies of all the documents submitted with this IDS, including copies of the documents not considered by Examiner Enatsky. Applicants respectfully request that the Examiner acknowledge consideration of these documents by initialing the PTO 1449 forms and returning a copy to Applicants.

Summary of the Office Action

In the Office Action, the Examiner noted that "[t]he attempt to incorporate subject matter into this application by reference to U.S. patent application no. _____ . . . is improper because it lacks a referencing application serial number." (Office Action ¶ 1). In addition, the Examiner rejected claims 1-34 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,871,398 to *Schneier et al.* ("*Schneier*").

Summary of the Response

In this response, Applicants have amended the specification and Figure 8 to correct minor informalities. Moreover, Applicants have amended claims 1, 6, 8, 10, 17, 22, 23, 26-31 and 33-34 to correct minor informalities and to more appropriately define the claimed subject matter. Applicants also traverse the rejection of claims 1-34 because *Schneier* does not teach all the features recited in these claims.

Amendments to the Specification

In the Office Action, the Examiner noted that "[t]he attempt to incorporate subject matter into this application by reference to U.S. patent application no. _____ . . . is improper because it lacks a referencing application serial number." (Office Action ¶ 1). In accordance with the Examiner's suggestion, Applicants have amended the specification by adding the missing U.S. patent application number for the application incorporated by reference into the specification of this application. Applicants have also amended the specification to correct minor typographical errors.

Amendments to the Drawings

As originally filed, the "Yes" and "No" labels for step 818 in Figure 8 were transposed. Figure 8 has been amended, in red ink, to correct this typographical error.

Rejection under 35 U.S.C. § 102(b)

Claims 1-34 were rejected under 35 U.S.C. § 102(b) as being anticipated by *Schneier*. Applicants respectfully traverse this rejection and submit that *Schneier* does not disclose each and every restriction of the claimed invention and request that the rejection under 35 U.S.C. § 102(b) be withdrawn.

As pointed out in MPEP § 2131, to anticipate a claim, the reference must teach every element of the claim. In the present application, independent claims 1, 10, 22, 27, 30, and 31 require that the client terminal retrieve the result of a game from the server *during game play*. For example, claim 27 is a system claim and recites a combination of features including "a plurality of off-site client terminals, connected to the server via on online network, for retrieving the results of the purchased wagers from the server *during game play*." Similarly, claim 30 is an apparatus claim and recites a combination of features including "means for receiving, from a second client terminal *during game play*, a request to reveal the results of the at least one wager . . . ." Claim 31 is also an apparatus claim and recites a combination of features including "a communications component . . . for receiving, from a second client terminal *during game play*, a request to reveal the results of the at least one wager . . . ." Moreover, claim 1 is a method claim and recites a combination of features including "receiving, from a second client terminal *during game play*, a request to reveal the results of the at least one wager . . . ." Finally, claims 10 and 22, are either method or computer readable medium claims and recite a combination of features

including "receiving, from a second client terminal *during game play*, . . . a request for the result of the at least one wager."

Thus, all these claims require that the client terminal retrieve the result of a game from the server *during game play*. *Schneier* does not teach an apparatus, method, or computer readable medium in which the client terminal retrieves the result of a game from the server *during game play*.

Instead, *Schneier* teaches "[a]n off-line remote lottery system which enables players to purchase instant-type lottery game outcomes from a randomized prize data stream in a central computer, and view the outcomes on remotely disposed gaming computers *which do no require an on-line connection during play*." (*See* Abstract) (emphasis added). In fact, *Schneier* teaches away from the claimed invention. *Schneier* specifically states that one of the drawbacks in the prior art systems is that these systems are "limited in that players can only engage in lottery play at specified locations" because "[e]very play (outcome) requested by the slave terminal *must be downloaded on-line* from the master processing unit." (*See* col. 3, lines 61-67) (emphasis added). To solve this problem, *Schneier* discloses a "system [that] enables a player to play instant-type tickets on the game computer with the same convenience as typical paper scratch-off tickets at any location *without the gaming computer every having to be physically or electronically connected to a lottery system network during play* . . . ." (*See* col. 1, lines 19-25) (emphasis added).

Claims 1, 10, 22, 27, 30, and 31 require, however, that the client terminal retrieve the result of a game from the server *during game play*. Accordingly, because *Schneier* neither suggests nor discloses a client terminal that retrieves the result of a game from the server *during game play*, and because *Schneier* teaches away from retrieving results *during game play*,

Applicants respectfully request that the Examiner withdraw the rejection of claims 1, 10, 22, 27, 30, and 31 under 35 U.S.C. § 102(b) in view of *Schneier* and allows these claims.

Furthermore, independent claims 8, 23, 26, 28, 29, 33, and 34 are also allowable because *Schneier* does not teach each feature recited in these claims. These claims each require storing the results of the wagers without sending the results of the wagers to a client terminal *until game play*. For example, claim 23 is a system claim and recites a combination of features including "means for storing the results of the plurality of wages without sending the results of the wagers to a client terminal *until game play*." Claim 26 is also a system claim and recites a combination of features including "a database for storing the results of the plurality of wagers without sending the results of the wagers to a client terminal *until game play*." Moreover, claims 33 and 34 are apparatus claims and recite a combination of features including a server that stores "each of the results of the plurality of wagers; wherein the server does not send the results of the wagers to a client terminal *until game play*." Similarly, claims 8, 28, and 29 are either method or computer readable medium claims and recite a combination of features including "storing each of the results of the plurality of wagers in a database without sending the results of the wagers to a client terminal *until game play*."

Thus, all these claims each require storing the results of the wagers without sending the results of the wagers to a client terminal *until game play*. *Schneier*, however, does not teach an apparatus, method, or computer readable medium that store the results of the wagers without sending the results of the wagers to a client terminal *until game play*.

Instead, in *Schneier*, the results of the games are sent to the client terminals as soon as the wagers are purchased. (*See* col. 6, lines 10-19). At least for this reason, Applicants respectfully

-17-

request that the Examiner withdraw the rejection of claims 8, 23, 26, 28, 29, 33, and 34 under 35 U.S.C. § 102(b) in view of *Schneier* and allow these claims.

Moreover, claims 2-7, 9, 11-21, 24-25, and 32 are allowable at least because of their dependency on claims 1, 8, 10, 23, or 31, which are allowable for the reasons set forth above.

Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims. Applicants invite the Examiner to contact Applicants' representative, Naveen Modi, at (202) 408-4426 should the Examiner disagree with Applicants' view that the claims are allowable or should the Examiner have any questions.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: July 1, 2002   By: Naveen Modi
                                                  Naveen Modi
                                                  Reg. No. 46,224

APPENDIX TO AMENDMENT OF JULY 1, 2002

Version with Markings to Show Changes Made

Amendments to the Specification

Please amend the specification, as follows:

Page 1, line 5, after "filed June 17, 1997," insert --now U.S. Patent No. 6,280,328,--;

page 1, line 7, change "application no. _____" to --application no. 09/689,842--;

page 11, line 2, after "filed June 17, 1997," insert --now U.S. Patent No. 6,280,328,--;

page 11, lines 3-4, change "application no. _____" to --application no. 09/689,842--;

page 11, line 5, change "____ application" to --'842 application--;

page 12, lines 12-13, change "____ application" to --'842 application--;

page 14, line 12, change "____ application" to --'842 application--;

page 14, line 16, change "____ application" to --'842 application--;

page 16, lines 5-6, change "____ application" to --'842 application--;

page 18, line 18, change "applies" to --apples--;

page 35, line 20, change "applies" to --apples--; and

page 38, line 15, change "forgoing" to --foregoing--.

Amendments to the Claims

Please amend claims 1, 6, 8, 10, 17, 22, 23, 26-31, and 33-34 as follows:

1.   (Amended) A gaming method, comprising:

receiving, from a first client terminal, a purchase request for at least one wager;

determining the results of the at least one wager; and

storing the results of the at least one wager in a database;

receiving, from a second client terminal <u>during game play</u>, a request to reveal the results of the at least one wager; and

sending the results of the at least one wager to the second client terminal.

6.   (Amended) The method of claim 1, wherein receiving, from a second client terminal <u>during game play</u>, a request to reveal the results of the at least one wager includes receiving, from a second client terminal <u>during game play</u>, a request to reveal the results of the at least one wager via an online network.

8.   (Amended) A gaming method, comprising:

receiving, from a client terminal, a purchase request for a plurality of wagers;

determining the results of each of the plurality of wagers; and

storing each of the results of the plurality of wagers in a database without sending the results of the wagers to [the] <u>a</u> client terminal <u>until game play</u>.

10.   (Amended) A gaming method, comprising:

receiving, from a first client terminal, a patron identifier identifying a patron;

receiving, from the first client terminal, a purchase request for at least one wager;

debiting the account balance of a patron account corresponding to the received patron identifier based on the received purchase request;

determining the result of the at least one wager;

storing the result of the at least one wager in a database;

receiving, from a second client terminal <u>during game play</u>, the patron identifier identifying the patron and a request for the result of the at least one wager; and

sending, to the second client terminal, the result of the at least one wager.

17.   (Amended) The method of claim 10, wherein receiving, from a second client terminal <u>during game play</u>, the patron identifier identifying the patron and a request for the result of the at least one wager comprises receiving, from a second client terminal[,] <u>during game play</u> via an online network, the patron identifier identifying the patron and a request for the result of the at least one wager.

22.   (Amended) A computer-readable medium containing instructions for causing a computer to perform a gaming method, comprising:

receiving, from a first client terminal, a patron identifier identifying a patron;

receiving, from the first client terminal, a purchase request for at least one wager;

debiting the account balance of a patron account corresponding to the received patron identifier based on the received purchase request;

determining the result of the at least one wager;

storing the result of the at least one wager in a database;

receiving, from a second client terminal <u>during game play</u>, the patron identifier identifying the patron and a request for the result of the at least one wager; and

sending, to the second client terminal, the result of the at least one wager.

23.   (Amended) A gaming system, comprising:

a plurality of client terminals, each including

means for receiving, from a patron, a patron identifier identifying a patron and a purchase request for a plurality of wagers, and

means for transmitting the patron identifier and the purchase request; and

a server, connected to each of the plurality of client terminals, and including

means for receiving, from the plurality of client terminals, the patron identifier and the purchase request,

means for debiting the patron account corresponding to the patron identifier in response to the purchase request,

means for determining results of the plurality of wagers, and

means for storing the results of the plurality of wagers without sending the results of the wagers to a client terminal until game play.

26.   (Amended) A gaming system, comprising:

a plurality of client terminals, each including

an identification component for receiving, from a patron, a patron identifier identifying a patron,

an output device for displaying a selection menu including an option to purchase a plurality of wagers,

an input device for receiving, from a patron, a purchase request for a plurality of wagers, and

a first communications device for transmitting the patron identifier and the purchase request; and

a server, connected to each of the plurality of client terminals, and including

a second communications device for receiving, from the plurality of client terminals, the patron identifier and the purchase request,

a communications component for debiting the patron account corresponding to the patron identifier in response to the purchase request,

a wagering component for determining the results of the plurality of wagers, and

a database for storing the results of the plurality of wagers without sending the results of the wagers to a client terminal until game play.

27.   (Amended) A gaming system, comprising:

a plurality of on-site client terminals for receiving a wager purchase request;

a server, connected to each of the plurality of client terminals for receiving wager purchase requests, determining the results of the purchased wagers, and storing the results of the purchased wagers; and

a plurality of off-site client terminals, connected to the server via an online network, for retrieving the results of the purchased wagers from the server during game play.

28.   (Amended) A gaming method, comprising:

receiving, from a client terminal, a patron identifier identifying a patron;

receiving, from the client terminal, a purchase request for a plurality of wagers;

debiting the account balance of a patron account corresponding to the received patron identifier based on the received purchase request;

determining the results of each of the plurality of wagers; and

storing each of the results of the plurality of wagers in a database without sending the results of the wagers to a client terminal until game play.

29.   (Amended) A computer readable medium containing instructions for causing a computer to perform a gaming method, comprising:

receiving, from a client terminal, a patron identifier identifying a patron;

receiving, from the client terminal, a purchase request for a plurality of wagers;

debiting the account balance of a patron account corresponding to the received patron identifier based on the received purchase request;

determining the results of each of the plurality of wagers; and

storing each of the results of the plurality of wagers in a database without sending the results of the wagers to a client terminal until game play.

30.   (Amended) A server connected to a plurality of client terminals in a gaming system, comprising:

means for receiving, from a first client terminal, a purchase request for at least one wager;

means for determining the results of the at least one wager;

means for storing the results of the at least one wager;

means for receiving, from a second client terminal <u>during game play</u>, a request to reveal the results of the at least one wager; and

means for sending the result of the at least one wager to the second client terminal.

31. (Amended) A server connected to a plurality of client terminals in a gaming system, comprising:

a communications component for receiving, from a first client terminal, a purchase request for at least one wager and for receiving, from a second client terminal <u>during game play</u>, a request for the results of the at least one wager;

a wagering component for determining the results of the at least one wager; <u>and</u>

a database for storing the results of the at least one wager.

33. (Amended) A server connected to a plurality of client terminals in a gaming system, comprising:

means for receiving, from a client terminal, a purchase request for a plurality of wagers;

means for determining the results of each of the plurality of wagers; and

means for storing each of the results of the plurality of wagers;

wherein the server does not send the results of the wagers to [the] <u>a</u> client terminal <u>until game play</u>.

34. (Amended) A server connected to a plurality of client terminals in a gaming system, comprising:

a communications device for receiving, from a client terminal, a purchase request for a plurality of wagers;

a wagering component for determining the results of each of the plurality of wagers; and

a database for storing each of the results of the plurality of wagers;

wherein the server does not send the results of the wagers to [the] a client terminal until game play.